United Nations S/2002/977

Security Council

Distr.: General
30 August 2002

Original: English

Progress report of the Secretary-General on Ethiopia and Eritrea

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1398 (2002) of 15 March 2002, by which the Council extended the mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE) until 15 September 2002. It provides an update of developments in the political, military, humanitarian and human rights areas, as well as of the deployment and activities of UNMEE since the circulation of my reports of 8 March (S/2002/245) and 10 July 2002 (S/2002/744). It also contains an update of UNMEE activities related to the provision of support to the Eritrea-Ethiopia Boundary Commission, as mandated by the Security Council, with a view to facilitating the work of the Commission in demarcating the border.

II. Status of the Temporary Security Zone and adjacent areas

2. During the period under review, the situation in the Temporary Security Zone remained generally calm. On the whole, the armed forces of Ethiopia and Eritrea maintained a relatively good level of cooperation with UNMEE on the ground. Both sides continued their activities related to the relocation of heavy military equipment to rear areas and the construction of semi-permanent shelters in the vicinity of their current deployment areas in anticipation of the rainy season. However, during recent months there has been an increase in the number of incidents and subsequent accusations and counter-accusations by the parties of physical assault and abduction of local populations on both sides of the southern boundary of the Zone. These incidents have become more serious recently. According to UNMEE observations, the origins of these incidents lie mostly in local disputes over grazing lands. In response to these incidents, United Nations troops have intensified their monitoring activities in these and other potential trouble areas.

Freedom of movement of the Mission

3. As mentioned in my report of 10 July (S/2002/744), in April the Government of Ethiopia temporarily prohibited personnel from UNMEE, as well as the Secretary and Field Office of the Boundary Commission, from crossing from Eritrean-controlled territory into that controlled by Ethiopia. Since Ethiopia suspended this prohibition on 6 May, the freedom of movement of UNMEE across the southern boundary of the Temporary Security Zone has been restored. However, the tightening of immigration formalities by the Ethiopian authorities at Bole International Airport at Addis Ababa and the imposition of security searches on arriving, departing and transiting UNMEE personnel continue to cause delays and constitute a violation of the status-of-forces agreement. On the Eritrean side, there has been a decrease in the previously reported restrictions on the Mission's freedom of movement in the area adjacent to the Zone, primarily in Sector Centre. This decrease is in large part due to the relocation to higher ground of positions of the Eritrean Defence Forces in preparation for the rainy season.

4. There has still been no progress made regarding the establishment of a direct high-altitude flight route

02-54193 (E) 300802

for UNMEE aircraft between Asmara and Addis Ababa. In the absence of an agreed direct route, UNMEE has been forced to fly between the two capitals via Djibouti, which results in considerable additional expense to the Mission, totalling more than US$ 1.7 million to date. It should be recalled that the flight deviations also have serious operational and security implications for UNMEE.

Military Coordination Commission

5. No meeting of the Military Coordination Commission has been held or requested by the parties since 22 April 2002. In view of the political and military nature of the issues likely to arise during the demarcation phase, my Special Representative stands ready to chair the Commission whenever his personal involvement is required. This is in accordance with article 6 of the June 2000 Agreement on Cessation of Hostilities, which vested the authority and the responsibility of chairing such meetings in the leader of the peacekeeping mission.

Status-of-forces agreement

6. Regrettably, the Government of Eritrea has not signed the status-of-forces agreement with the United Nations, despite the repeated requests of the Security Council that the agreement be concluded without further delay. In accordance with Council resolution 1320 (2000), the model status-of-forces agreement is therefore in effect. It should be recalled that the Government of Ethiopia signed a status-of-forces agreement on 22 March 2001.

Deployment of the Mission

7. During the period under review, there have been no major changes in the force deployment of UNMEE. As at 25 August 2002, the strength of the military component of UNMEE stood at 3,812 troops, 125 headquarters staff officers and 216 military observers, for a total of 4,153 personnel (see annex II).

8. The Mission's logistical infrastructure is now generally adequate, but ongoing improvements to the accommodation of contingents continue to take place in various locations. In response to the serious threat posed by landmines throughout the UNMEE area of operations, and in particular to provide a higher level of safety for the military observers in the Temporary Security Zone, an additional 28 mine-protected vehicles were delivered to UNMEE early in August.

III. Boundary Commission

9. On 8 July 2002, the Boundary Commission adopted its demarcation directions, which should govern the work of the Commission during the demarcation stage. The demarcation directions provided, in particular, that UNMEE would assist the Commission in conducting demining in support of demarcation and in providing administrative and logistical support to the field offices of the Boundary Commission.

10. On 15 and 16 July, the Boundary Commission held a meeting with the parties at The Hague (with UNMEE in attendance) in order, inter alia, to clarify to the parties the provisions of the demarcation directions. At that meeting, the Commission announced its intention to open a field office at Adigrat, Ethiopia, and to make it operational by 31 July 2002. Consequently, the Commission issued an Order to the parties to that effect on 17 July (see S/2002/853, annex).

11. As decided, and with the logistical support of UNMEE, the Boundary Commission had established a fully operational field office at Adigrat by 31 July. Pending completion of detailed administrative arrangements in implementing the demarcation directions by the parties, this field office has already commenced its mandated surveying activities. Together with the two other field offices located at Asmara and Addis Ababa, the Adigrat office is carrying out the preparatory work for demarcation, including the secondary datum and ground control point surveys. The surveys started on 7 August, when a secondary datum marker was emplaced on Ethiopian territory. I am also pleased to report that, following consultations between Ethiopia and Eritrea, the Boundary Commission and UNMEE, the parties will allow their liaison officers working with the Commission's field offices to travel on UNMEE aircraft and to work on both sides of the southern boundary of the Temporary Security Zone. Additional information on the recent activities of the Commission, provided by its President, is contained in annex I to the present report.

12. In accordance with the recommendations contained in S/2002/744 and the recent adjustment of the mandate of UNMEE by the Council in resolution 1430 (2002) of 14 August, the Mission will provide demining to support demarcation within its existing authorized strength, while the costs of civilian demining contractors and the Mission's field office support will be funded from the United Nations Trust Fund for the Delimitation and Demarcation of the Border. Voluntary contributions to the Trust Fund currently total some US$7.4 million, while expenditures incurred as at 21 August had amounted to $2.6 million. In addition, the European Union has pledged €1 million to the Fund, a contribution which has been specially earmarked for engaging a commercial contractor to conduct quality assurance of the demining operations. In this connection, I would like to express my appreciation to those Member States that have responded generously to my appeal for contributions to the Fund. At the same time, it is clear that additional financial resources will be required for the full demarcation of the border, including the erection of pillars. Estimates for these tasks will be available once the guidelines for pillar emplacement have been decided.

IV. Mine action

13. Landmines and unexploded ordnance remain a major threat to the population of the two countries, to United Nations staff and to humanitarian personnel operating on the ground. From June to the end of August 2002, 12 civilians were injured and 4 killed in 11 incidents involving mines and unexploded ordnance in the Temporary Security Zone and its adjacent areas.

14. Following the adjustment of the mandate of UNMEE by the Security Council in resolution 1430 (2002), the Mine Action Coordination Centre will, in addition to its previous tasks, act as the coordinating authority for mine clearance in support of demarcation of the boundary. Planning has been finalized to provide mine clearance support for future surveys and for the construction of pillar sites, once these are known. In order to assist demining support operations for demarcation, three military observers have been seconded to the Centre and have assumed their new duties. Meanwhile, the UNMEE Slovak Demining Company was earmarked to perform the main demining tasks in support of demarcation.

15. In a worrying development, however, Eritrea recently decided to take over from international non-governmental organizations all responsibility for humanitarian demining in the country by 31 August 2002. Although this decision may be in line with a governmental proclamation dated 8 July, which established the Eritrean Demining Agency, the early departure of international non-governmental organizations could seriously affect humanitarian demining operations in the Temporary Security Zone after the deadline. There is concern that the decision will hamper the work of preparing the ground for the return of internally displaced persons to their homes in the Zone.

V. Humanitarian developments

16. As at 13 August 2002, approximately 57,000 internally displaced persons remained in camps in Eritrea, unable to return to their home areas owing to several factors, including the presence of mines and unexploded ordnance. Meanwhile, roughly 52,000 persons have so far been repatriated to Eritrea from the Sudan under a tripartite programme involving the two Governments and the Office of the United Nations High Commissioner for Refugees. While continued repatriation will depend on stability in the region and favourable weather conditions, the main challenge remains to support the reintegration of these returnees into Eritrean communities.

17. Owing to the failure or late onset of seasonal rains in many parts of the region this year, a serious drought is threatening both Eritrea and Ethiopia. In response to the looming crisis, the Eritrean Relief and Refugee Commission issued a drought alert late in July 2002 and appealed to donors for an urgent response to avert an impending human catastrophe. This was followed by the establishment of coordination mechanisms and close cooperation between governmental and United Nations agencies aimed at collecting, analysing and disseminating up-to-date information related to the drought. Based on the results of recent and ongoing needs assessments, it is expected that the humanitarian programmes and planning figures contained in the 2002 consolidated appeal for Eritrea will have to be revised to reflect additional drought-related requirements.

18. In Ethiopia, the situation is equally critical. Widespread crop failure has been predicted in many

regions of the country. The projected number of affected persons requiring food assistance for the last four months of the year and well into 2003 has risen from an estimate in January 2002 of 3.2 million to 6.5 million as at August 2002. These numbers are expected to rise sharply and continually into 2003 as additional information becomes available and the situation develops. The Government has activated its Crisis Management Group at the federal level and established similar groups in every region of the country. Emergency task forces are active in all relevant ministries. The United Nations humanitarian agencies have joined forces with the authorities to ensure a coordinated response to the situation. To mobilize resources, the Government, supported by the United Nations and the wider humanitarian community, will launch an update on assistance requirements in the near future, which will initially deal with non-food matters, followed soon thereafter by adjusted requirements for emergency food assistance.

19. Given the urgency of the situation and the serious consequences of a delayed or ineffective response, I urge Member States to contribute to funding requests put forward by the humanitarian community through the consolidated appeals process and other mechanisms, thus allowing effective humanitarian and recovery efforts to continue in Eritrea and Ethiopia.

Quick-impact projects

20. In the initial budget for UNMEE, US$ 700,000 was allocated for quick-impact projects and an additional US$ 180,000 was received from the Government of Norway for further projects. So far, 80 projects with a total value of just under US$ 900,000 have been approved by the projects committee. The projects mainly cover programmes in water, health and education, and are being implemented by local authorities, local and international non-governmental organizations, United Nations agencies, UNMEE contingents and other partners. Additional contributions have been pledged by the Governments of the Netherlands and Ireland; these will be very helpful, since rehabilitation needs are great throughout the Temporary Security Zone and adjacent areas and additional contributions are badly needed.

VI. Human rights

21. Reports of cases of cross-border harassment and abductions have continued on both sides, even after the announcement of the Boundary Commission's delimitation decision. UNMEE is investigating all allegations of cross-border incidents and works with the authorities of both parties to ensure that these incidents do not escalate.

22. Repatriations of both Eritreans and Ethiopians, assisted by the International Committee of the Red Cross (ICRC) have continued, and more than 500 people have been repatriated on both sides. Interviews carried out by UNMEE with returnees indicate that both countries continue to discriminate against each other's citizens and to impose conditions that leave people with no option but to return to their country of origin. However, a number of those interviewed said they had repatriated voluntarily to rejoin their families.

23. On 12 July and 13 August respectively, Eritrea, with ICRC assistance, released and repatriated 32 and 21 Ethiopian civilians who had been arrested during the conflict and were held in detention within Eritrea. UNMEE continues to monitor this process closely and looks forward to the release of civilians currently detained in both countries by reason of the conflict.

Release and repatriation of prisoners of war

24. Members of the Council will recall that the process of releasing prisoners of war has been stalled since February 2002. However, on 2 August, Eritrea released and repatriated 15 Ethiopian prisoners of war. On 23 August, ICRC announced that Ethiopia and Eritrea had committed themselves to releasing in the immediate future all remaining prisoners of war in accordance with the Third Geneva Convention and the Algiers Peace Agreement of 12 December 2000. These commitments were made to the ICRC President, Jakob Kellenberger, during his recent visit to the region. Subsequently, on 29 August, Eritrea released and repatriated, with the assistance of ICRC, 279 Ethiopian prisoners of war. With this release operation, the last prisoners of war registered and regularly visited by the ICRC in Eritrea have been released and repatriated. This is a highly welcome development, and I look forward to the release by Ethiopia of the approximately 1,300 remaining Eritrean prisoners of war. Their

earliest release will no doubt contribute to creating an atmosphere conducive to the successful implementation of the peace process between the two countries.

VII. Public information

25. During the period under review, the Mission's Public Information Office continued to report on developments in the peace process. Transmissions of weekly programmes on Radio Eritrea resumed on 24 April 2002, following the signing of a memorandum of understanding between UNMEE and the Eritrean authorities. However, Radio UNMEE continues to await a response from the Government of Ethiopia with regard to conducting radio broadcasts in that country. Meanwhile, UNMEE also broadcasts its biweekly programmes to the region on short-wave frequencies. These programmes continue to be posted by the Department of Public Information of the United Nations Secretariat on the United Nations web site in Afaan Oromo, Amharic, Arabic, English, Tigre and Tigrinya.

26. A significant event during the reporting period was the official opening by my Special Representative on 10 July of two UNMEE outreach centres, one at Addis Ababa and one at Asmara, which was an important step towards the UNMEE goal of providing the people of both countries with accurate and timely information regarding the peace process and the Mission's progress in fulfilling its mandate. Plans are under way to establish four similar outreach centres in the countryside later in 2002.

VIII. Financial aspects

27. The General Assembly, by its resolution 56/250 B of 27 June 2002, appropriated the amount of $230,845,300 gross for the maintenance of UNMEE for the financial period from 1 July 2002 to 30 June 2003. As at 31 July 2002, unpaid assessed contributions to the special account for UNMEE amounted to $231,756,554. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,863,361,237.

IX. Observations

28. I am encouraged by the fact that the parties have remained fundamentally committed to the peace process. In this regard, I would like to reiterate my appeal to the Governments of Eritrea and Ethiopia to sustain this course and extend to UNMEE and the Boundary Commission all necessary cooperation for the expeditious demarcation of the border. It is my hope that the two Governments will continue to display statesmanship during the entire process, including during the crucial phase of territorial transfers, thus securing a lasting peace between these two neighbouring nations for the great benefit of the peoples in the region.

29. During the period since the announcement of the delimitation decision, I have been equally encouraged by the assistance offered by the African Union and all Member States concerned. The Security Council's unanimous endorsement of my recommendations concerning UNMEE support for the demarcation process, manifested in its resolution 1430 (2002), underlines the importance that the international community attaches to the expeditious and orderly implementation of the Boundary Commission's delimitation decision. I am confident that the two parties can rely on the continuous political engagement and financial assistance of the international community throughout this vital process. For its part, the United Nations will remain committed to playing its role through the demarcation phase, as its peacekeeping mission is determined to contribute to stability on the ground, while standing ready to meet fully the added responsibilities entrusted to it under Council resolution 1430 (2002). In this connection, I recommend that the mandate of UNMEE be extended for six months, until 15 March 2003.

30. While the situation in the Temporary Security Zone has remained generally calm and the armed forces of the two parties are cooperating with UNMEE on the ground in a professional manner, I remain concerned about the reports of incidents and accusations of physical attacks on and abduction of local populations on either side of the southern boundary of the Zone. Although the origins of these incidents are of a local nature, the risk of escalation remains, and I therefore appeal to both parties to do their utmost to contain such acts. In the same vein, I fully support the Boundary Commission's decision that

the parties should ensure that no population resettlement takes place across the delimitation line, and look forward to the return to Ethiopian territory of those persons who recently moved inside Eritrean territory.

31. As progress in the peace process allows the parties to focus increasingly on reconstruction and development tasks, I call on donors and interested Member States to continue to assist them in these efforts. In the immediate future, the serious situation caused by the drought will require emergency assistance. At the same time, in parallel with the humanitarian and reconstruction efforts, it will be vitally important to concentrate on rebuilding confidence between these two neighbouring countries. In this connection, the recent announcement by Eritrea and Ethiopia of their intention to release all remaining prisoners of war constitutes an important measure that the parties could build upon to enhance mutual trust. The United Nations supports confidence-building initiatives at all levels, and stands ready to provide assistance, as necessary, to promote such steps. I am certain that the international community will also be ready to encourage and assist the parties in achieving the ultimate objective of the peace process, namely, lasting reconciliation between the two States and normalization of their bilateral relations.

32. In conclusion, I wish to express my appreciation to my Special Representative, Legwaila Joseph Legwaila, and to all of the military and civilian personnel of UNMEE, as well as to the staff of the United Nations country teams, humanitarian workers and representatives of non-governmental organizations operating on the ground, for their tireless efforts in promoting peace between Ethiopia and Eritrea. I would also like to express my particular gratitude for the professional and strenuous work of the Boundary Commission, as well as for the invaluable support that UNMEE has received from the African Union and the many Member States assisting in this important peace process, including the troop-contributing countries.

Annex I

Sixth report of the Eritrea-Ethiopia Boundary Commission

1. This is the sixth report of the Eritrea-Ethiopia Boundary Commission, covering the period 1 June to 31 August 2002.

2. The Commission and its staff in Eritrea and Ethiopia ("the area") have been heavily engaged in continuing the work that needs to be completed before the 1:25,000 map can be finalized, the location of the boundary markers determined and the work of erecting the boundary markers begun. This has involved principally the emplacement of secondary datum markers and ground control points.

3. On 24 June 2002, the Commission rendered its decision on the Ethiopian request for interpretation, correction and consultation referred to in paragraph 5 of the Commission's fifth report (S/2002/744, annex). The Commission did not find in any of the items of the Ethiopian request anything that identified an uncertainty in the delimitation decision that could be resolved by interpretation at that time. Further, no case was made for revision. The Commission concluded that the request was inadmissible and that no further action would be taken on it. However, the request would remain on the record as a statement of Ethiopia's views, as would the response of Eritrea.

4. At the beginning of the period under review, the following reports were submitted to the parties by the Chief Surveyor:

(a) Summary of the survey of the ground control points for the SPOT satellite imagery which also included a spreadsheet;

(b) Summary of the specifications for the primary and secondary data, offsite data processing and quality assurance;

(c) Summary of work yet to be undertaken but which is required before the placing of boundary markers can begin;

(d) Amended field report of the primary datum observations.

5. Requests of the parties for additional maps, aerial photographs and other information have been met by the Commission.

6. Bill Robertson, a New Zealand national, was appointed as Special Consultant to assist the Commission in directing and monitoring the demarcation. Mr. Robertson was one of the commissioners who carried out the demarcation of the Iraq-Kuwait boundary in 1992 and his special experience will be of great value to the Commission. He will keep the parties fully informed of the plans and actions of the Commission and will maintain close contact with the parties by undertaking regular visits to the area. In addition, four extra surveyors have been hired temporarily, two from Sweden and two from New Zealand, to accelerate completion of the current stage of the work.

7. Demarcation Directions were prepared in draft form in early June and were circulated to the parties for comment. These Directions, which were subsequently promulgated on 8 July 2002, are binding on the parties. The Directions contain detailed rules governing the demarcation process. As the work progresses, they will be amended to reflect any emerging needs.

8. The Commission attaches great importance to keeping the parties informed of its activities and plans in relation to the demarcation process. There have been occasional complaints by one or the other party in this connection but they have been met and, as the experience of all concerned has developed and the parties have come to recognize the good will, commitment and neutrality of the Commission staff, it is expected that the procedure will continue with the full cooperation of the parties. The Commission has the fullest confidence in its staff in the field. They have worked assiduously and with great patience to meet so far as possible the requests of the parties.

9. It appears that initial difficulties confronting the staff in the area in securing the necessary visas and other permits to access the sites at which they needed to work have gradually been resolved.

10. On 7 June, Eritrea requested that the Commission adopt an interim order instructing Ethiopia that it must immediately cease the settlement of its nationals into territory that had been determined by the decision of 13 April 2002 to fall within Eritrean sovereignty. Ethiopia filed a response on 14 June 2002. In order to ascertain

the facts for itself, the Commission appointed a field investigation team, consisting of the Registrar, the Special Consultant, the Deputy Chief Surveyor and the deputy to the Secretary of the Commission, to visit the area and gather the necessary information. The team returned to The Hague and reported on 15 July 2002. A hearing was held with the parties on 16 July, following which the Commission issued an Order on 17 July, pursuant to article 20 and article 27 (1) of its rules of procedure, in which, although it rejected the Eritrean request for interim measures, the Commission found that any Ethiopian Government-sponsored resettlement of Ethiopian nationals in Dembe Mengul after 13 April 2002 should not have taken place and required Ethiopia to arrange for the return from there to Ethiopian territory of those persons who had gone there from Ethiopia pursuant to an Ethiopian resettlement programme since 13 April 2002. The Commission also required that each party should ensure that no further population resettlement take place across the delimitation line established by the decision of 13 April 2002.

11. On 17 July 2002, at the request of Ethiopia, the Commission issued an Order establishing a Field Office at Adigrat, Ethiopia, to begin work no later than 31 July 2002. Before that, the Field Office staff worked only from an office at Asmara. The Commission also maintains a small office at Addis Ababa for liaison purposes.

12. Because of the provision of logistical and transport services by UNMEE and in view of Security Council resolutions, there is frequent consultation between the Field Office staff and UNMEE personnel, as well as between the President of the Commission and the Special Representative of the Secretary-General. The Commission expresses great appreciation for the help that it receives from UNMEE, including the assistance rendered to it on the ground by engineers from the Indian contingent.

13. There is also regular contact between the Field Office staff and the officials of the parties at Addis Ababa and Asmara for the purpose of providing information about planned operations and making the necessary arrangements in that connection.

(*Signed*) Sir Elihu **Lauterpacht**
President of the Commission

26 August 2002

Annex II

United Nations Mission in Ethiopia and Eritrea: contributions as at 25 August 2002

Country	*Military observers*	*Staff officers*	*National support elements*	*Troops*	*Total*
Algeria	8	-	-	-	8
Austria	1	-	-	-	1
Australia	-	2	-	-	2
Bangladesh	7	6	-	160	173
Benin	-	3	-	-	3
Bosnia and Herzegovina	9	-	-	-	9
Bulgaria	5	2	-	-	7
Canada	6	-	-	-	6
China	5	-	-	-	5
Croatia	5	-	-	-	5
Czech Republic	2	-	-	-	2
Denmark	4	-	-	-	4
Finland	7	2	-	-	9
France	-	2	-	-	2
Gambia	4	2	-	-	6
Ghana	10	7	-	-	17
Greece	3	-	-	-	3
India	5	21	-	1 520	1 546
Ireland	-	12	7	200	219
Italy	5	6	-	134	145
Jordan	6	16	-	944	966
Kenya	10	13	-	646	669
Malaysia	7	5	-	-	12
Namibia	3	2	-	-	5
Nepal	4	-	-	-	4
Netherlands	1	2	-	-	3
Nigeria	6	2	-	-	8
Norway	5	-	-	-	5
Paraguay	2	-	-	-	2
Peru	2	-	-	-	2
Poland	6	-	-	-	6
Romania	8	-	-	-	8
Russian Federation	6	-	-	-	6
Slovakia	-	3	7	201	211

Country	*Military observers*	*Staff officers*	*National support elements*	*Troops*	*Total*
South Africa	5	2	-	-	7
Singapore	2	-	-	-	2
Spain	3	2	-	-	5
Sweden	6	-	-	-	6
Switzerland	4	-	-	-	4
Tanzania	8	3	-	-	11
Tunisia	2	3	-	-	5
Ukraine	7	-	-	-	7
Uruguay	6	-	-	-	6
United States of America	6	1	-	-	7
Zambia	10	4	-	-	14
Total	**211**	**123**	**14**	**3 805**	**4 153**